

Student Rights and Regulations

Student Conduct Code: Student Rights and Responsibility

Academic institutions exist for the transmission of knowledge, the pursuit of truth, the development of students, and the general well-being of society. Winthrop University recognizes that its students retain all of the rights provided by the constitutions of the United States and the State of South Carolina, federal and state statutes, and applicable University policy, while attending the University. Free inquiry and free expression are indispensable to the attainment of these goals. As members of the academic community, students are encouraged to develop the capacity for critical judgment and to engage in a sustained and independent search for truth.

Freedom of the individual may be defined as the right to act or speak, so long as it does not adversely affect the rights of others. Believing in this concept, Winthrop University protects freedom of action and freedom of speech for both students and employees, so long as it is not of an inflammatory or demeaning nature and does not interfere with the students' living and study conditions and the administration of institutional affairs. It constitutes a disruptive act for any member of the University community to engage in any conduct which would substantially obstruct, interfere with or impair instruction, research, administration, authorized use of University facilities, the rights and privileges of other members of the University community, or disciplinary proceedings. Moreover, Winthrop University is committed to improving the quality of student life by promoting a diversified educational and cultural experience for all its students. Therefore, racist conduct or other acts of bigotry are not tolerated.

Rights and freedoms imply duties and responsibilities. Note should be taken that a student who exercises his or her rights as a private citizen—whether individually or as a member of a group—must assume full responsibility for his or her actions. All students and employees of the University must abide by local, state, and federal laws and with all published University policies and regulations. Violations of laws and regulations subject the perpetrator to disciplinary action by the University and/or the appropriate civil or criminal court.

Responsibility for good conduct rests with students as adult individuals. Student organizations have similar responsibility for maintaining good conduct among their members and guests and at activities they sponsor. All members of the University community are expected to use reasonable judgment in their daily campus life and to show due concern for the welfare and rights of others.

Students or student organizations who violate University policies, rules, and regulations are subject to disciplinary action. A complete outline of obligations and the disciplinary process is contained in the Student Conduct Code in the Student Handbook, found online at <http://www.winthrop.edu/studentconduct/default.aspx?id=52137>.

Academic Discipline

A fundamental tenet of all institutions of higher learning is academic honesty. Academic work must depend upon respect for and acknowledgement of the research and ideas of others. Misrepresentation of someone else's work as one's own is a most serious offense in any academic setting.

Academic misconduct includes, but is not limited to, providing or receiving assistance in a manner not authorized by the professor in the creation of work to be submitted for academic evaluation including papers, projects, and examinations; presenting, as one's own, the ideas or words of another for academic evaluation without proper acknowledgment; doing unauthorized academic work for which another person will receive credit or be evaluated; and presenting the same or substantially the same papers or projects in two or more courses without the explicit permission of the professors involved. In addition, academic misconduct involves attempting to influence one's academic evaluation by means other than academic achievement or merit. More explicit definitions of academic misconduct specific to certain academic disciplines may be promulgated by academic departments and schools. Infractions of academic discipline are dealt with in accordance with the student Academic Misconduct Policy which is in the Student Conduct Code in the Student Handbook.

Privacy of Educational Records

The Family Educational Rights and Privacy Act (FERPA) affords students certain rights with respect to their education records. They are:

1. *The right to inspect and review the student's education records within 45 days of the day the University receives a request for access.*

Students should submit to the registrar, dean, head of the academic department, or other appropriate official, written requests that identify the record(s) they wish to inspect. The University official will make arrangements for access and notify the student of the time and place where the records may be inspected. If the records are not maintained by the University official to whom the request was submitted, that official shall advise the student of the correct official to whom the request should be addressed.

2. *The right to request the amendment of the student's education records that the student believes are inaccurate or misleading.*

Students may ask the University to amend a record that they believe is inaccurate or misleading. They should write the University official responsible for the record, clearly identify the part of the record they want changed, and specify why it is inaccurate or misleading.

If the University decides not to amend the record as requested by the student, the University will notify the student of the decision and advise the student of his or her right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the student when notified of the right to a hearing.

3. *The right to consent to disclosures of personally identifiable information contained in the student's education*

records, except to the extent that FERPA authorizes disclosure without consent.

One exception which permits disclosure without consent is disclosure to school officials with legitimate educational interests. A school official is a person employed by the University in an administrative, supervisory, academic or research, or support staff position (including law enforcement unit personnel and health staff); a person or company with whom the University has contracted (such as an attorney, auditor, or collection agent); a person serving on the Board of Trustees; or a student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks.

A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.

4. *The right to file a complaint with the U.S. Department of Education concerning alleged failures by this University to comply with the requirements of FERPA.*

The name and address of the Office that administers FERPA is:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202-5920

Also, these regulations restrict Winthrop to the release of certain records only to the student (current or former) and to certain other authorized school and government personnel, except with the student's prior written consent to release the records to another specified person. Without this consent, Winthrop cannot release a student's records even to parents, except in one instance. Parents or guardians of a student may be given access to student's records if the parents or guardians sign a statement in the Office of Records and Registration and provide proof that they have claimed the student as a dependent on their last federal income tax return.

FERPA does allow the University to release the following kinds of information (not considered private records) unless the student requests that it be withheld: student's name, address, telephone number, e-mail address, place of birth, enrollment status (full- or part-time), dates of attendance, date of graduation, major and minor fields of study, degrees and awards received, date of admission, whether or not currently enrolled, classification (freshman, etc.), most recent previous educational institution attended, eligibility for honor societies, participation in officially recognized activities and sports, weight, and height of members of athletic teams, and other similar information. Photographic, video, or electronic images of students taken and maintained by the University also are considered directory information. **Any student not wanting this information released must make a written request to the Registrar.**

In accordance with South Carolina law (Section 30-2-50 of the Family Privacy Protection Act), the University does not sell or give away lists which are in unpublished or computerized form to any outside agency, individual, or business for commercial solicitation purposes.

Questions concerning Winthrop's policy for release of academic information should be directed to the Office of Records and Registration, 126 Tillman Hall.